

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

GRATINIANO TOVAR-VALENCIA §
VS. § CIVIL ACTION NO. 1:15cv24
CHARLES A. DANIELS §

**ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

Petitioner Gratiniano Tovar-Valencia, an inmate confined at the Federal Correctional Complex in Beaumont, Texas, proceeding *pro se*, brought this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends petitioner's motion to proceed *in forma pauperis* be denied. The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record and pleadings. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED**. It is therefore

ORDERED that petitioner's motion to proceed *in forma pauperis* (docket entry no. 9) is **DENIED**. It is further

ORDERED that petitioner shall pay the filing fee of \$5.00 within thirty (30) days from the date of this order.

So ordered and signed on

Jan 29, 2016

Ron Clark

Ron Clark, United States District Judge